

No. S262530

IN THE SUPREME COURT  
OF THE STATE OF CALIFORNIA  
LEGISLATURE OF THE STATE OF CALIFORNIA,

*Petitioner,*

v.

ALEX PADILLA, IN HIS OFFICIAL CAPACITY AS SECRETARY OF STATE OF THE  
STATE OF CALIFORNIA,

*Respondent.*

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**DECLARATION OF ANGELO N. ANCHETA IN SUPPORT  
OF RESPONSE BY CITIZENS REDISTRICTING  
COMMISSION TO EMERGENCY PETITION AND REQUEST  
FOR RELIEF FILED BY THE STATE OF CALIFORNIA  
LEGISLATURE**

**CRITICAL DATE: JULY 13, 2020**

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*Attorney for 2010 California Citizens Redistricting Commission*

I, Angelo N. Ancheta, declare under penalty of perjury as follows:

1. I am a member of the California Citizens Redistricting Commission established in 2010 (Commission), and I am currently the Chair of the Commission.

2. I have been a Commissioner since February 10, 2011, and I fully participated in the activities of the Commission in drawing the district boundary lines for the California congressional delegation, the State Senate, the State Assembly, and the State Board of Equalization, which the Commission completed on August 15, 2011. In addition to serving as Chair and Vice Chair during my term, I actively participated in multiple committees on the Commission, including its Legal Committee and its Technical Committee. My term as a Commissioner will conclude on or about July 2, 2020, when the first eight members of the 2020 Commission will be selected.

3. In order to comply with California law, the Commission was required to follow a set of ranked redistricting criteria, including compliance with the federal constitution and the federal Voting Rights Act of 1965. Several of these requirements depended on the Commission's having timely and accurate Census data, such as population equality requirements consistent with the United States Supreme Court's one-person-one-vote case law, and various statutory and regulatory requirements designed to prevent minority vote dilution under section 2 and section 5 of the Voting Rights Act.

The Commission was also required under state law to engage in a line drawing process that was open and transparent and afforded the public extensive opportunities to participate in public hearings and deliberations.

4. In early 2011, prior to the availability of the 2010 Census redistricting data, the Commission conducted substantial work to prepare for the line drawing. These activities included:

- analyzing the distribution of California's urban, suburban, and rural demographics and determining which cities and towns best represented geographic population clusters that the Commission should hold public hearings;
- initiating and conducting outreach efforts to solicit broad public participation, including public meetings and gathering documents and other input to guide the Commission's line drawing;
- establishing an extensive Internet presence through a Commission website and multiple access points via e-mail and on popular social media sites;
- hiring staff and legal counsel, including special counsel to advise on compliance with the federal Voting Rights Act (VRA counsel)
- conducting a selection process for a line-drawing consultant to assist with compiling public testimony, processing data, and creating districts and maps; and

- supervising Commission staff to contact local cities, towns, and other venues to secure specific sites, logistics, accommodations, and equipment needed to hold public hearings.

5. The United States Bureau of the Census released California-specific redistricting data from the 2010 Census, also known as the P.L. 94-171 data set, on March 8, 2011. California's Statewide Database subsequently processed the P.L. 94-171 data set for the Commission's use, which included compiling demographic and geographic information from the 2010 Census data, as well as incorporating data from the Census Bureau's American Community Survey and California voter registration and election data. The processing and merging of these data were necessary for general line drawing purposes and to ensure that the Commission's maps complied with the Voting Rights Act. The Statewide Database made its redistricting database available to the Commission on April 13, 2011, approximately five weeks after receiving the P.L. 94-171 data.

6. Once the redistricting database became available to the Commission and the general public, the Commission, along with its staff, VRA counsel, and line drawing consultant, engaged in an approximately four-month-long process to obtain public testimony and produce district maps that complied with the mandates of federal and state law. These activities included:



- conducting an initial set of public hearings throughout California, starting as far north as the City of Redding, covering numerous urban, suburban, and rural areas in the state, and going as far south as the City of San Diego;

- holding work sessions to review and consider public input and comments in order to clarify, correct, and modify district lines, using the state's ranked criteria as a framework;

- creating and releasing for public comment a first draft proposal for district maps, released on June 11, 2011 (approximately three months after the state's receipt of the P.L. 94-171 data set);

- engaging a consultant with expertise in statistical methodologies to conduct racially polarized voting analyses for multiple areas of the state to help ensure that the Commission's proposed districts complied with the federal Voting Rights Act;

- preparing and presenting additional draft proposal maps to the public for input, in tandem with more public hearings in both Northern and Southern California during June and July of 2011;

- holding final work sessions to review and consider public input to finalize the Commission's maps;

• approving, with near-unanimous votes, the final maps setting district boundary lines for the congressional, Senatorial, Assembly, and State Board of Equalization districts;

• submitting and ultimately receiving approval of the final maps by the United States Department of Justice under the preclearance requirements of the federal Voting Rights Act; and

• certifying the final maps, as well as publishing a final report justifying the new districts and describing the overall redistricting process.

7. The public input received by the Commission included testimony from over 2,700 speakers and over 22,000 written comments, and contained a range of statewide maps, regional maps, individual district lines, and articulations of local communities of interest and neighborhoods deserving protection within districts. The Commission conducted 34 public hearings throughout the state, and held approximately 70 Commission meetings to draft, review, receive input on, and finalize district maps.

8. Commission meetings were conducted after public notice of 14 days and were broadcast live, recorded, and made available to the public to ensure total transparency. Many of these hearings and meetings were held in the evening and on weekends both to ensure broad public participation and to allow sufficient time for the Commission to exercise due diligence and complete its work in compliance with the law.

9. The Commission's final maps for California's congressional delegation, State Senate, State Assembly, and State Board of Equalization were certified and delivered to the California Secretary of State on August 15, 2011, the constitutional deadline for completion of the Commission's redistricting process. The final maps were submitted just over five months after the Census Bureau transmitted the P.L. 94-171 data set to the State of California.

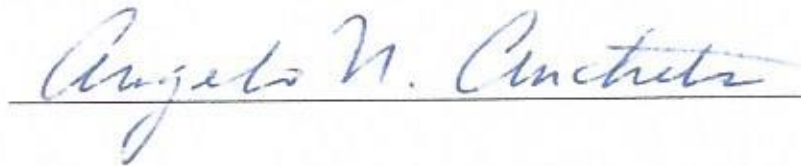
10. Although the Commission's maps were later challenged in the Supreme Court of California and in federal litigation, none of the challenges was successful, and the maps, as originally certified by the Commission, were employed in subsequent election cycles. The Commission's State Senate map was also upheld by the voters of California following a referendum on the November 6, 2012 ballot.

11. Based on my experience as a member of the California Citizens Redistricting Commission, several months of time prior to and after the state's receipt of the P.L. 94-171 data set were necessary for the Commission to ensure that its redistricting process was transparent, provided adequate avenues for public input, and complied with both federal and state law. Several weeks were needed for the Statewide Database to process the initial data set and have it ready for the Commission and the general public; several additional months were essential for the Commission to solicit and obtain informed public input from throughout the state, to create draft maps, to

receive further comment, to make corrections and modifications, to approve and certify the final maps, and to produce a final report.

I declare under penalty of perjury that the foregoing is true and correct. I have firsthand knowledge of the same, except as to those matters described on information and belief, and if called upon to do so, I could and would testify competently thereto.

Executed this 9th day of June, 2020, in San Francisco, California.

A handwritten signature in blue ink, reading "Angelo N. Ancheta", is written over a horizontal line.

ANGELO N. ANCHETA